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7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 CONRAD GARCIA-GUIZAR,) No. Cr.S. 95-0411 GEB
12) No. Civ.S. 02-0749 GEB KJM
Petitioner,)
13 v.) **PETITIONER'S APPLICATION AND ORDER**
14) **FOR WRIT OF HABEAS CORPUS AD**
UNITED STATES OF AMERICA,) **TESTIFICANDUM**
15)
Respondent.) Date: April 26, 2006
16) Time: 10:00 a.m.
Judge: Hon. Kimberly J. Mueller

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18 Pursuant to 28 U.S.C. § 2241(c)(5), COMES NOW the petitioner
19 herein by his attorney, Krista Hart, and presents and shows: That
20 there is now confined in the Bureau of Prisons, Federal Correctional
21 Institution at Lompoc, California, one CONRAD GARCIA-GUIZAR, Reg. No.
22 08427-97, in the custody of the Warden thereof; that said prisoner is a
23 necessary, material, and competent witness in the proceeding before the
24 above-entitled Court at Sacramento, California, on April 26, 2006; and
25 that in order to secure the attendance of said prisoner at the
26 proceeding, and to afford him an opportunity to be advised by counsel
27 prior to the proceeding, it is necessary that a Writ of Habeas Corpus
28 ad Testificandum be issued commanding said Warden to produce said

1 prisoner at the Sacramento County Jail, by April 21, 2006 at 9:00 a.m.,
2 in order that said prisoner may meet and consult with counsel, Krista
3 Hart, and further to produce said prisoner in said Court, Courtroom
4 #26, at the Federal Courthouse, 501 "I" Street, Sacramento, California,
5 on April 26, 2006, at 10:00 a.m., in order that said prisoner may
6 respond to and answer such questions as may be propounded to him during
7 the course of the evidentiary hearing in said case.

8 WHEREFORE, petitioner prays for an order directing the issuance of
9 a Writ of Habeas Corpus ad Testificandum, out of and under the seal of
10 this Court, commanding said Warden, to have and produce said prisoner
11 in said Bureau of Prisons Facility at Lompoc, California, and said
12 United States District Court on said date, then and there to respond to
13 and answer such questions as may be propounded to him during the course
14 of the evidentiary hearing in the above-entitled case; and at the
15 termination of said proceeding to return him forthwith to said above-
16 mentioned institution.

17 Dated: April 3, 2006

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19 /s/ Krista Hart
20 Attorney for Petitioner
21 CONRAD GARCIA-GUIZAR
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O R D E R

WHEREFORE, CONRAD GARCIA-GUIZAR, Reg. No. 08427-97, petitioner in the above-entitled matter, is confined in Bureau of Prisons, Federal Correctional Institution at Lompoc, California, in the custody of the Warden; in order to secure the attendance of said prisoner at the proceeding, and to afford him an opportunity to be advised by counsel prior to the proceeding, it is necessary that a Writ of Habeas Corpus ad Testificandum be issued commanding said Warden to produce said prisoner at the Sacramento County Jail, by April 25, 2006, at 9:00 a.m., in order that said prisoner may meet and consult with counsel Krista Hart and members of the habeas team, and further to produce said prisoner in Courtroom #26, at the Federal Courthouse, 501 "I" Street, Sacramento, California, on April 26, 2006, at 10:00 a.m., in order that said prisoner may be present at the status conference related to the evidentiary hearing to be set in said case;

ACCORDINGLY, IT IS ORDERED THAT:

1. A Writ of Habeas Corpus Testificandum issue, under the seal of this court, commanding the Warden to produce the inmate named above to consult with his attorney and with his attorney's staff at the correctional facility identified above, and to be present in United States District Court at the time and place above, and from day to day until completion of court proceedings or as ordered by the court; and thereafter to return the inmate to the above institution;

2. The Warden is ordered to notify the court of any change in custody of this inmate and is ordered to provide the new custodian with a copy of this writ; and

3. The Clerk of the Court is directed to serve a courtesy copy of this order and writ of habeas corpus ad testificandum on the U.S.

1 Marshals and the Bureau of Prisons.

2 **WRIT OF HABEAS CORPUS AD TESTIFICANDUM**

3 **To: The Warden Of the Federal Correctional Institution at Lompoc, 3600**
4 **Guard Road, Lompoc, California, 93436:**

5 **WE COMMAND** you to produce the inmate named above to consult with
6 his attorney and his attorney's staff at the Sacramento County Jail, by
7 April 25, 2006, at 9:00 a.m., and to be present at the United States
8 District Court, Courtroom #26, at the Federal Courthouse, 501 "I"
9 Street, Sacramento, California, for a status conference on April 26,
10 2006, at 10:00 a.m., and from day to day until completion of the
11 proceedings or as ordered by the court; and thereafter to return the
12 inmate to the above institution.

13 **FURTHER,** you have been ordered to notify the court of any change
14 in custody of the inmate and have been ordered to provide the new
15 custodian with a copy of this writ.

16 DATED: April 3, 2006.

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19 UNITED STATES MAGISTRATE JUDGE
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